

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

DR. SACHA L. BETTS and
PROMED RX, PLLC,

Plaintiffs,

v.

CITY OF SUGAR LAND, TEXAS,

Defendant.

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CIVIL ACTION NO. H-14-0034

ORDER OF DISMISSAL

More than 120 days have passed since this case was filed on January 8, 2014. Paragraph 9 of the court's Order for Conference (Docket Entry Nos. 2, 4, and 5) states:

Fed. R. Civ. P. 4(m) requires defendant(s) to be served within 120 days after the filing of the complaint. The failure of plaintiff(s) to file proof of service within 120 days after the filing of the complaint may result in dismissal of this action by the court on its own initiative.

The court's file reflects no proof of service of summons and complaint on the defendant. Accordingly, this action will be dismissed without prejudice for plaintiffs' failure to prosecute pursuant to Fed. R. Civ. P. 4(m).

SIGNED at Houston, Texas, on this 13th day of August, 2014.



SIM LAKE
UNITED STATES DISTRICT JUDGE